

**FINAL STATEMENT OF REASONS
FOR
PROPOSED AMENDMENTS
OF THE
DIVISION OF THE STATE ARCHITECT – ACCESS COMPLIANCE

REGARDING THE ADOPTION BY REFERENCE OF THE
2006 EDITION OF THE UNIFORM PLUMBING CODE
INTO THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5

Chapters 1, 2, 3, 4 and 16**

UPDATES TO THE INITIAL STATEMENT OF REASONS: None – Any updates to the initial statement of reasons are included in DSA/AC change to accommodate public comments.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS: The DSA/AC has determined that the following proposed regulatory actions would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATIONS

Name: David F. Thorman, AIA, State Architect

Comment: Application. DSA/AC proposes to remove the general application statement, “for applications listed in Section 109.1 regulated by the Division of the State Architect/Access Compliance”, and replace with the DSA/AC acronym, “[For DSA/AC]”, where required throughout this document.

Reason: This change is required for consistency with the Building Standards Commission format.

DSA/AC Change to Accommodate: The DSA/AC further amends this item as proposed. See the full text of the resulting regulation (Final Express Terms) where the change is clearly indicated.

Name: David F. Thorman, AIA, State Architect

Comment: Chapter 4, Table 4-1, Minimum Plumbing Facilities. DSA/AC proposes to correct a typographical error in this section by adding italics to the previously proposed preemptive editorial amendment.

Reason: Italics were inadvertently omitted during preparation of the document. Criteria #1 & 8.

TABLE 4-1 Minimum Plumbing Facilities¹

Each building shall be provided with sanitary facilities, including provisions for persons with disabilities as prescribed by the Department Having Jurisdiction. For requirements for persons with disabilities, ~~ICC/ANSI A117.1 Accessible and Usable Buildings and Facilities~~, Chapter 11A or 11B of the California Building Code, ~~may~~ shall be used.

The total occupant load ...

The occupant load ...

DSA/AC Change to Accommodate: The DSA/AC further amends this item as proposed. See the full text of the resulting regulation (Final Express Terms) where the change is clearly indicated.

Name: David F. Thorman, AIA, State Architect

Comment: Chapter 4, Section 411.7 & 412.11. DSA/AC proposes to add titles to this Express Terms item to clearly identify which 2001 CPC section is proposed for relocation and repeal, which section is proposed for relocation and adoption, and the location of these sections in the 2007 CPC. DSA/AC also proposes to correct the typographical error in the DSA/AC acronym which appears in 2007 CPC, Section 412.1.

Reason: As presented in the current Express Terms, there is confusion about where the relocated 2001 CPC Section 101.4.1.1.3.1 will actually appear in the 2007 CPC. Criteria #1 & 8.

411.0 Floor Drains and Shower Stalls.

411.7 All shower compartments, regardless of shape, shall have a minimum finished interior of one thousand twenty-four (1,024) square inches (0.66 m²) and shall also be capable of encompassing a thirty (30) inch (750 mm) circle. The minimum required area and dimensions shall be measured at a height equal to the top of the threshold and at a point tangent to its centerline. The minimum area and dimensions shall be maintained to a point seventy (70) inches

(1778 mm) above the shower drain outlet with no protrusions other than the fixture valve or valves, shower head, soap dishes, shelves, and safety grab bars or rails. Fold-down seats in accessible shower stalls shall be permitted to protrude into the thirty (30) inch (750 mm) circle.

Exception No. 1: Showers that are designed to comply with ~~ICC/ANSI A117.1~~ Chapter 11A or 11B, of the California Building Code.

Exception No. 2: The minimum required area and dimension shall not apply where an existing bathtub is replaced by a shower receptor having minimum overall dimensions of 30 inches (750 mm) in width and 60 inches (1,500 mm) in length.

(Relocated from 2001 CPC, Section 412.0, Floor Drains and Shower Stalls)

~~Note: [For DSA/AC] See Part 2, Chapters 11A and 11B for shower compartment size for accommodation of persons with disabilities.~~

412.0 Minimum Number of Required Fixtures.

412.1 Fixture Count. ...

(Relocated from Section 101.4.1.1.3.1)

~~101.4.1.1.3.1 [For DSA/AC] 412.1.1. Effective January 1, 1990, in new construction and those existing facilities which occupancy type are listed in Tables 4-1 and 4-4 for public use, which apply for permit to undertake construction, structural alterations, repairs or improvement which exceed 50 percent of the square footage of the entire facility, shall install water closets, urinals, lavatories and drinking fountains as stipulated in Tables 4-1 and 4-4 for public use. Community and/or municipal parks with a bleacher capacity not exceeding 500 seats shall be exempt from the requirements of this section and Tables 4-1 and 4-4. Note: 2. Each bathroom shall comply with Part 2, Chapters 11A and 11B of the California Building Code.~~

DSA/AC Change to Accommodate: The DSA/AC further amends this item as proposed. See the full text of the resulting regulation (Final Express Terms) where the change is clearly indicated.

COMMENTS MADE BY THE OFFICE OF SMALL BUSINESS ADVOCATE (GC§ 11347.6)

The DSA/AC has not received comments from the Office of Small Business Advocate.

COMMENTS MADE BY THE TRADE AND COMMERCE AGENCY (GC§ 11347.6)

The DSA/AC has not received comments from the Trade and Commerce Agency.

STATEMENT CONFIRMING COMPLIANCE WITH GOV 11346.7.1

The DSA/AC has complied with requirements in making all documents in this rulemaking available to the public. All public Notices are posted on the CBSC website at: <http://www.bsc.ca.gov>, see 2006 Annual Code Adoption Cycle.

The 45-day Notice of written comment periods from:

- Sep 01 – Oct 16, 2006 addressing Parts 1 (CAC), 2 CBC (IBC & DOJ), 9 (CFC) and 12 (CRSC) and
- Sep 08 – Oct 23, 2006 addressing Parts 3 (CEC), 4 (CMC) and 5 (CPC)

were both mailed on Sep 06, 2006 to every person who filed a request for notice of regulatory actions with DSA/AC.

The 15-day Notice of written comment period from:

- Oct 26 – Nov 09, 2006 regarding Parts 2 CBC (IBC & DOJ), 3 (CEC), (CPC) and 9 (CFC)

was mailed on Oct 25, 2006 to every person who filed a request for notice of regulatory actions with DSA/AC.